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MEMO ENDORSED

August 16, 2023

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DATE FILED: 8-17-23

Via ECF and E-Mail

Hon. Andrew L. Carter
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Barend Oberholzer*, 1:21-cr-00475-ALC

Dear Judge Carter:

I am writing on behalf of defendant Barend Oberholzer to respectfully request that the Court modify his bail conditions to allow him to travel to Hawaii for business leaving tomorrow, August 17, 2023, and returning on August 22, 2023. Mr. Oberholzer learned this morning of the potential trip, which relates to efforts relating to the ongoing fires. If permitted to travel, Mr. Oberholzer will provide his Supervising Pretrial Officer with a complete itinerary. The government, by AUSA Timothy Capozzi, also takes no position on Mr. Oberholzer's application. Counsel for Mr. Oberholzer emailed PTSO Dominique Jackson this morning upon learning of Mr. Oberholzer's potential travel. Although Pretrial Services has previously taken no position on Mr. Oberholzer's applications, PTSO Jackson had not responded at the time of filing. Given the time sensitivity of the request, we have filed without a response from PTSO Jackson.

By way of background, on March 2, 2021, Judge Lehrburger released Mr. Oberholzer on a \$500,000 personal recognizance bond secured by two financially responsible persons, with conditions including, inter alia, that Mr. Oberholzer's travel be limited to the Southern and Eastern Districts of New York, and the Central and Southern Districts of California. Since that date, Mr. Oberholzer has remained compliant with the conditions of his release. With the Court's permission, Mr. Oberholzer has previously traveled for business and family vacation without incident.

We thank the Court for its consideration in this matter.

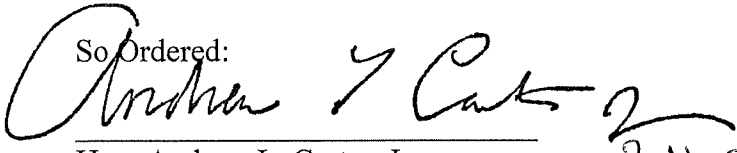
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Respectfully submitted,

/s/ Ryan P. Poscablo
Ryan P. Poscablo, Esq.

cc: Jilan J. Kamal, Esq., Assistant United States Attorney (be ECF)
Domonique Jackson, Pretrial Services (by email)

So Ordered:


Hon. Andrew L. Carter, Jr. 8-16-23